

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 3, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

In the Office Action, the Examiner objected to the drawings because of lack of descriptive test labels in FIG 1. In response, labels have been added to FIG 1. A replacement sheet including FIG 1 is enclosed. Applicant respectfully requests approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, the Examiner indicated that the title of the invention was not sufficiently descriptive, and required a new title. In response, the current title has been deleted and substituted with a new title in accordance with the Examiner's

suggestion.

In the Office Action, the Examiner objected to claims 1-23 for certain informalities. In response, claims 1-20 and 22-23 have been amended to remove the informalities noted by the Examiner, where claim 21 has been canceled without prejudice. Accordingly, withdrawal of the objection to claim 9 is respectfully requested. Further, claims 1-20 and 22-23 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1-20 and 22-23 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, claims 2-5, 9, 12-15 and 22 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 2-5, 9, 12-15 and 22 have been amended to remove the alleged informalities noted by the Examiner. It is respectfully submitted that the rejection of claims 2-5, 9, 12-15 and 22 has been overcome and an indication as such is

respectfully requested.

In the Office Action, the Examiner indicated that claims 4-5, 9, 12-13, 15, 17 and 23 would be allowable if rewritten in independent form and if any objection and rejection thereto are overcome. Applicant gratefully acknowledges the indication that claims 4-5, 9, 12-13, 15, 17 and 23 contain patentable subject matter. As noted above, the objection and rejection to claims 4-5, 9, 12-13, 15, 17 and 23 have been overcome. Further, claims 4, 9, 12, 15, 17 and 23 have been rewritten in independent form. Accordingly, it is respectfully submitted that claims 4, 9, 12, 15, 17 and 23 are in allowable form, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 5 and 13 should also be allowed at least based on their dependence from independent claims 4 and 12.

In the Office Action, claims 1-3, 6-8, 10-11, 14 and 18-20 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,542,449 (Nakatsuka). Further, claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Nakatsuka. Claim 16 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Nakatsuka in view of U.S. Patent Application

Publication No. 2001/0053112 (Matsui). Claims 1, 21 and 22 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,359,856 (Nguyen) in view of U.S. Patent No. 6,310,105 (Glorioso). It is respectfully submitted that claims 1-23 are patentable over Nakatsuka, Matsui, Nguyen and Gloriosso for at least the following reasons.

On page 14 of the Office Action, in rejecting claim 21, the Examiner correctly noted that Nguyen does not teach or suggest operation in a turntable mode in which the motor is rotated without a disc being present. Gloriosso is cited in an attempt to remedy the deficiencies in Nguyen.

Gloriosso is directed to a disk drive enclosure having a housing for enclosing a disk drive. A temperature controlled fan may be used to remove heat by convection while generating a minimum amount of noise.

It is respectfully submitted that Nguyen and Gloriosso, alone or in combination, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided):

a controllable motor for rotating a disc; and

a control unit having a first output for generating a control signal for said motor;
wherein the control unit is configured to switch modes of operation to a turntable mode in which said motor is rotated without a disc being present.

These features are nowhere taught or suggested in Nguyen, Glorioso, and combination thereof. The Glorioso fan, or a motor for turning this fan, is not the very same motor that rotates a disc. Rather, the Glorioso fan is different from a motor for rotating the disc. A motor for rotating the disc where the motor is rotated without a disc being present, as recited in independent claim 1, is nowhere taught or suggest in Nguyen, Glorioso, and combination thereof.


Accordingly, it is respectfully submitted that independent claim 1 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3, 6-8, 10-11, 14, 16, 18-20 and 22 should also be allowed at least based on their dependence from independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheet (1 sheet including FIG 1)
New Abstract

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